

JEFFREY E. BRUNTON #2833  
Office of Consumer Protection  
235 South Beretania Street, Room 801  
Honolulu, Hawaii 96813-2419  
Telephone: (808) 586-2636

Attorney for Plaintiff

1ST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2003 JAN -3 PM 2:45

M.N. TANAKA  
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of  
Consumer Protection,

Plaintiff,

vs.

BRIGHTON UNIVERSITY, a Hawaii  
nonprofit corporation; BRIGHTON  
UNIVERSITY, INC., a Missouri  
corporation; MARK H. SEYER and  
RONALD W. BEALERT,

Defendants.

) CIVIL NO. 02-1-1503-06 (SSM)  
) (Other Civil Action)  
)

) DEFAULT JUDGMENT AGAINST  
) DEFENDANTS BRIGHTON  
) UNIVERSITY, BRIGHTON UNIVERSITY,  
) INC. AND MARK H. SEYER; EXHIBITS 1  
) AND 2

) (Motion filed December 10, 2002)  
)

) HEARING

) Date: December 30, 2002

) Time: 11:00 a.m.

) Judge: Karen M. Radius

) Trial Date: None

) SCF Date: None  
)

DEFAULT JUDGMENT AGAINST DEFENDANTS BRIGHTON  
UNIVERSITY, BRIGHTON UNIVERSITY, INC. AND MARK H. SEYER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Business  
Registration Division of the Department of Commerce and Consumer Affairs of the  
State of Hawaii shall and is hereby ordered to dissolve, terminate, revoke and/or

JEFFREY E. BRUNTON #2833  
Office of Consumer Protection  
235 South Beretania Street, Room 801  
Honolulu, Hawaii 96813-2419  
Telephone: (808) 586-2636

Attorney for Plaintiff

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of Consumer Protection,	)	CIVIL NO. 02-1-1503-06 (SSM)
	)	(Other Civil Action)
	)	
Plaintiff,	)	DEFAULT JUDGMENT AGAINST
	)	DEFENDANTS BRIGHTON UNIVERSITY,
	)	BRIGHTON UNIVERSITY, INC. AND
	)	MARK H. SEYER; EXHIBITS 1 AND 2
	)	
vs.	)	(Motion filed December 10, 2002)
	)	
	)	<u>HEARING</u>
	)	Date: December 30, 2002
BRIGHTON UNIVERSITY, a Hawaii nonprofit corporation; BRIGHTON UNIVERSITY, INC., a Missouri corporation; MARK H. SEYER and RONALD W. BEALERT,	)	Time: 11:00 a.m.
	)	Judge: Karen M. Radius
	)	
	)	Trial Date: None
	)	SCF Date: None
	)	
Defendants.	)	
	)	

---

DEFAULT JUDGMENT AGAINST DEFENDANTS BRIGHTON  
UNIVERSITY, BRIGHTON UNIVERSITY, INC. AND MARK H. SEYER

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Business  
Registration Division of the Department of Commerce and Consumer Affairs of the  
State of Hawaii shall and is hereby ordered to dissolve, terminate, revoke and/or

cancel, all trademarks, corporate registrations (including that for Brighton University) and certificates of authority held by or for any of the defendants.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that The Mail Exchange and Postal Plus Paia shall be and are hereby ordered to cease providing any services to any of the defendants, including but not limited to mailbox, mail services, professional telephone answering, voice mail, receptionist services, directory listings and/or business address services.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Defendants Brighton University, Brighton University, Inc. and Mark H. Seyer, their agents, employees, successors and assigns, directly or indirectly, individually or in concert with others, or through any corporate or other device, be and are hereby permanently enjoined from:

- a. Providing any post-secondary instructional programs or courses leading to a degree;
- b. Acting as or holding themselves out as a “college, academy, institute, institution, university” or anything similar thereto;
- c. Failing to comply with Hawaii Rev. Stat. Chap. 446E or § 480-2(a) in any particulars; and
- d. Owning or operating any business in the State of Hawaii or claiming to operate under the laws of the State of Hawaii until all restitution, civil penalties and costs entered herein are fully satisfied.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Defendants Brighton University, Brighton University, Inc. and Mark H. Seyer, jointly

and severally, shall implement a restitution program as follows. Defendants Brighton University, Brighton University, Inc. and Mark H. Seyer be and are hereby ordered to immediately compile a list of those students who enrolled in or graduated from Brighton University subsequent to July 1, 1999 and to send a written offer of restitution to each such individual in the appropriate form attached as Exhibits 1 or 2. Defendants Brighton University, Brighton University, Inc. and Mark H. Seyer, jointly and severally, be and are hereby ordered, adjudged and decreed to make restitution to anyone requesting it within twenty days of the receipt of such a request.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Brighton University be and hereby is liable to Plaintiff for civil penalties in the amount of \$500,000.00.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Brighton University, Inc. be and hereby is liable to Plaintiff for civil penalties in the amount of \$500,000.00.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Mark H. Seyer be and hereby is liable to Plaintiff for civil penalties in the amount of \$500,000.00.

The only remaining claims are Plaintiff's claims against Defendant Ronald W. Bealert.

DATED: Honolulu, Hawaii, \_\_\_\_\_.

---

Judge of the above-entitled Court

and severally, shall implement a restitution program as follows. Defendants Brighton University, Brighton University, Inc. and Mark H. Seyer be and are hereby ordered to immediately compile a list of those students who enrolled in or graduated from Brighton University subsequent to July 1, 1999 and to send a written offer of restitution to each such individual in the appropriate form attached as Exhibits 1 or 2. Defendants Brighton University, Brighton University, Inc. and Mark H. Seyer, jointly and severally, be and are hereby ordered, adjudged and decreed to make restitution to anyone requesting it within twenty days of the receipt of such a request.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Brighton University be and hereby is liable to Plaintiff for civil penalties in the amount of \$500,000.00.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Brighton University, Inc. be and hereby is liable to Plaintiff for civil penalties in the amount of \$500,000.00.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that, pursuant to Hawaii Rev. Stat. § 480-3.1, Defendant Mark H. Seyer be and hereby is liable to Plaintiff for civil penalties in the amount of \$500,000.00.

The only remaining claims are Plaintiff's claims against Defendant Ronald W. Bealert.

DATED: Honolulu, Hawaii, DEC 31 2002  
KAREN M. RADIUS   
Judge of the above-entitled Court

Date

Name  
Address  
City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, Brighton University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid conditioned only on return of the diploma. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us with the diploma. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

\_\_\_\_\_, President  
Brighton University

Enc.

Date

Name

Address

City, State Zipcode

Dear Graduate:

We are writing to inform you that during your course of studies, Brighton University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By law, such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid conditioned only on return of the diploma. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us with the diploma. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

\_\_\_\_\_, President  
Brighton University

Enc.

**EXHIBIT** 1

Date

Name

Address

City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, Brighton University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys' fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

\_\_\_\_\_, President  
Brighton University

Enc.

Date

Name  
Address  
City, State Zip Code

Dear Student:

We are writing to inform you that during your course of studies, Brighton University was operating in violation of Hawaii's laws relating to unaccredited degree granting institutions. By, law such violations are automatically considered unfair or deceptive business practices.

As a result of a court order, we are offering all graduates a full refund of the tuition paid. If you would like to accept this offer, please simply indicate that fact on the enclosed form and return it to us. Your refund will be processed within twenty days from its receipt.

If you choose to accept this offer, you will be barred from seeking any other damages against the university. You should know that under Hawaii law, you have the right to bring your own lawsuit for damages and, in the event you prevail, you would be awarded not less than \$1,000 or threefold the damages, whichever is greater. You would also, in that event, be awarded your attorneys' fees.

If you have any questions about this offer, you may call the State of Hawaii's Consumer Resource Center at (808) 586-2653.

Very truly yours,

\_\_\_\_\_, President  
Brighton University

Enc.

**EXHIBIT**

**2**